

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
CIVIL ACTION NO. 5:12-CV-714-BO**

LOUSHONDA MYERS, ET AL.,

Plaintiffs,

v.

**AT&T, INC., AT&T MOBILITY LLC,
UNKNOWN AGENTS/EMPLOYEES OF
AT&T, INC.,**

Defendants.

MOTION TO DISMISS

NOW COME Defendants AT&T Inc., AT&T Mobility LLC, and Unknown Agents/Employees of AT&T, Inc. and AT&T Mobility LLC (hereafter "Defendants"), by and through their undersigned counsel and pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure and Local Civil Rule 7.1, and hereby move this Court of an Order dismissing Plaintiffs' claims against Defendants for failure to state a claim upon which relief can be granted.

This the 26th day of August, 2014.

By: /s/ James R. Baker
James R. Baker (NC Bar #38009)
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Attorneys for Defendants AT&T Inc., AT&T Mobility LLC, and Unknown Agents/Employees of AT&T Inc. and AT&T Mobility LLC

CERTIFICATE OF SERVICE

I hereby certify that, on August 26, 2014, I electronically filed the foregoing MOTION TO DISMISS and, I hereby further certify that I served this document electronically pursuant to Local Civil Rule 5.1(b) upon all registered users of CM/ECF; and upon all other non-registered parties or attorneys pursuant to Rule 5 of the Federal Rules of Civil Procedure by depositing a copy in the care and custody of the United States Postal Service with proper postage affixed thereon this 4th day of August 2014, and addressed as follows:

SERVED VIA US MAIL UPON:

Loushonda Myers
27 Wateree Trail
Georgetown, South Carolina 29440

By: /s/ James R. Baker
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